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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,177	03/24/2004	Kazuto Ariga	03560.003446	4196
5514	7590	05/02/2007	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SELBY, GEVELL V	
ART UNIT		PAPER NUMBER		
2622				
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05/02/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/807,177	ARIGA, KAZUTO
	Examiner Gevell Selby	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Fuchimukai, US 7,116,363.**

In regard to claim 1, Fuchimukai, US 7,116,363, discloses an image pickup apparatus comprising:

a housing member (see figure 2, element 2); and  
a chassis (see figure 2, element 4) comprising a plurality of stepwise bent portions, wherein bent portions positioned at opposing ends of said chassis are fixed at respective ends of said image pickup apparatus in a state contacting said housing member (see figure 2, elements 11 and 12 and column 3, line 41 to column 4, line 32); and

it is inherent the digital camera of the Fuchimukai reference comprises a solid-state image pickup device that converts an object image into an electrical signal, in order to capture image signals.

In regard to claim 2, Fuchimukai, US 7,116,363, discloses the image pickup apparatus according to claim 1, further comprising a recording-medium accommodating

unit (see figure 2, element 11), wherein said recording-medium accommodating unit is disposed in a space formed utilizing said stepwise bent portions of said chassis (see figure 2 and column 3, lines 54-50).

In regard to claim 3, Fuchimukai, US 7,116,363, discloses the image pickup apparatus according to claim 1, further comprising a recording-medium accommodating unit (see figure 2, element 11), wherein said recording-medium accommodating unit is surrounded by said stepwise bent portions of said chassis (see figure 2 and column 3, lines 54-50).

In regard to claim 4, Fuchimukai, US 7,116,363, discloses the image pickup apparatus according to claim 2, further comprising a battery accommodating unit (see figure 2, element 14 and column 4, lines 6-9), wherein said recording-medium accommodating unit is surrounded by said battery accommodating unit and said chassis (see figure 2).

In regard to claim 5, Fuchimukai, US 7,116,363, discloses the image pickup apparatus according to claim 4, wherein said recording-medium accommodating unit is fixed to said battery accommodating unit (see figure 2).

In regard to claim 6, Fuchimukai, US 7,116,363, discloses the image pickup apparatus according to claim 1, wherein each of said plurality of stepwise bent portions has a cornered-U-shape (see figure 2).

In regard to claim 6, Fuchimukai, US 7,116,363, discloses an image pickup apparatus comprising:

a recording-medium accommodating unit (see figure 2, element 11) that accommodates a recording medium detachably mountable in a main body of said image pickup apparatus (see figure 2 and column 3, lines 54-50);

a battery accommodating unit (see figure 2, element 14) that accommodates a battery operating as a power supply for the main body of said image pickup apparatus (see column 4, lines 6-9);

a housing member (see figure 2, element 2);

a chassis (see figure 2, element 4) comprising a plurality of stepwise bent portions, wherein bent portions positioned at opposing both ends of said chassis are fixed at respective ends of said image pickup apparatus, wherein said battery accommodating unit is formed utilizing said stepwise bent portions of said chassis, and is fixed to said chassis, and wherein said recording-medium accommodating unit is fixed in a space surrounded by said chassis and said battery accommodating unit (see figure 2 and column 3, lines 41 to column 4, lines 17); and

it is inherent the digital camera of the Fuchimukai reference comprises a solid-state image pickup device that converts an object image into an electrical signal, in order to capture image signals.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,956,613, discloses a digital camera with a battery and memory card inserted into the same compartment.

US 2005/0088527, discloses a digital camera with a memory card chassis that also houses the battery.

US 6,590,614, discloses a camera with a compartment that holds the batter and memory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



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